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OFFICE OF PETITIONS

In re Application of :
Charles E. Leffler et al. :
Application No. 10/715,610 :
Filed: November 18, 2003 : DECISION ON PETITION
Attorney Docket No. 7517-11 : UNDER 37 C.F.R. § 1.137(B)
Title: WASTEWATER TREATMENT :
SYSTEM :

This is a decision on the petition filed April 4, 2007, pursuant to 37 C.F.R. § 1.137(b)¹, to revive the above-identified application.

The concurrently filed Change of Address has been entered and made of record, along with the Revocation of Power of Attorney. The concurrently filed **New Power of Attorney has not been entered** however, as the request was not compliant with 37 C.F.R. § 1.32(c)(3), in that the request failed to list the registration number of the patent practitioner listed thereon.

¹ A grantable petition pursuant to 37 C.F.R §1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

The above-identified application became abandoned for failure to file a proper response to the Restriction Requirement, mailed September 26, 2005, which set a shortened statutory period to reply for one month. No extensions of time under the provisions of 37 C.F.R. § 1.136(a) were received. Accordingly, the above-identified application became abandoned on October 27, 2005. A Notice of abandonment was mailed on May 25, 2006.

With the present petition, Petitioner has submitted the petition fee, a response to the restriction requirement, and the proper statement of unintentional delay. No terminal disclaimer is required.

As such, the petition under 37 C.F.R. § 1.137(b) is **GRANTED**.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the response to the restriction requirement that was received with the present petition can be processed.

Telephone inquiries **regarding this decision** should be directed to the undersigned at (571) 272-3225². All other inquiries concerning the status of the application should be directed to the Office of Patent Publication at 571-272-4200.



Paul Shanowski
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Office of Petitions
United States Patent and Trademark Office

² Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.